


1 considered to be directed to method and apparatus for using a collection device having a regenerative
2 collection surface, which would encompass Claims 1-16 and Claims 21-28 (i.e., thus including independent
3 Claims 1, 8, and 21). The Examiner indicated that the proposed amendment appeared reasonable; however,
4 she wanted to discuss the issue with her supervisor before agreeing to consider such an amendment. The
5 Examiner spoke with her supervisor, and promptly called back to indicate that if such an amendment were
6 submitted, the Examiner would reconsider the restriction in light of the amendment. The Examiner further
7 indicated that if the amendment resulted in a modification of the restriction, that the Examiner would contact
8 applicants' attorney by telephone to enable applicants' attorney to make a new election.

9 Applicants would like to thank the Examiner for her willingness to discuss the above issues by
10 telephone, and for her prompt response.

11 Applicants' Request for Claims 1-16 to be Examined with Claims 21-28 of Invention II

12 Independent Claims 1 (as amended) and Claim 8 are each directed to apparatus for collecting
13 particles comprising a regenerable collection surface. Independent Claims 21 and 25 are each directed to a
14 method for collecting particles, comprising the steps of using a regenerable collection surface to collect
15 particles, and then regenerating the collecting surface. These claims are related as process and apparatus for
16 its practice. Significantly, because Claims 1, 8, 21, and 25 each include the element of a regenerable
17 collection surface, it cannot reasonably be shown that either: (1) the process as claimed can be practiced by
18 another materially different apparatus (a regenerable collection surface *is* required); or, (2) the apparatus as
19 claimed can be used to practice another and materially different process (the function of a regenerable
20 surface is directly related to the step of regenerating the surface after collecting particles). Accordingly, it
21 would appear that Claims 1-16 should be considered to be encompassed in Invention II, and should
22 therefore be examined along with Claims 21-28.

23 Respectfully submitted,

24 
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28 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
29 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents,
30 Alexandria, VA 22313-1450, on January 17, 2006.

Date: January 17, 2006

